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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Eleventh session

SUMMARY RECORD OF THE 206th MEETING

Held at Headquarters, New York,
on Thursday, 30 January 1992, at 3 p.m.

Chairperson: Ms. TALLAWY

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Adoption of the report (continued)

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The meeting was called to order at 3.55 p.m.

ADOPTION OF THE REPORT (continued) (CEDAW/C/1992/L.1 and Add.1-15)

CEDAW/C/1992/L.1

1. Ms. LAIOU-ANTONIOU said that the first part of paragraph 26 had been amended to read:

> "One expert expressed her concern about why all members of the Committee had not been informed in time about the expert group meeting, particularly in view of Economic and Social Council resolution 1991/18 which stresses the need to coordinate the expert group meeting with CEDAW and the Commission on the Status of Women. It was said that the report of the expert group meeting, although interesting, presented the Committee with a fait accompli, and she wondered what the Committee's task was now with regard to the report. She wanted to know if the report was going to be the basis for the deliberations of Working Group II. Experts also voiced their concern over the risk of multiplication of efforts under way on the issue, emphasizing that it was the role of the Secretariat to coordinate and to avoid such duplication. The crucial point was to strengthen the implementation of the Convention. Another expert said it was important that the Committee give its opinion on the various options presented in the report of the experts. She also suggested that the Committee should make a recommendation to strengthen General Recommendation No. 12. She further said that it was perhaps necessary to have two separate recommendations - one on violence, and one on article 6. She also stated that on the basis of Economic and Social Council resolution 1991/18, CEDAW was included in the expert group meeting. Experts stated ...".

2. Document CEDAW/C/1992/L.1, as amended, was adopted.

CEDAW/C/1992/L.1/Add.6

3. Document CEDAW/C/1992/L.1/Add.6 was adopted.

CEDAW/C/1992/L.1/Add.10

4. Ms. LAIOU-ANTONIOU said that paragraph 14, from the third sentence onwards, had been amended to read:

> "The Committee stated that some temporary special measures might be advisable and that it was up to the Government to decide which ones would be most useful, e.g., either legal measures, consciousness-raising or education. The representative was advised to look into this possibility to improve the situation and to speed up the advancement of women. The aim of whatever measures the Government decided to take should be to

(Ms. Laiou-Antoniou)

bring the de jure and the de facto situation in the country into line with the provisions of the Convention. It was hoped that the next report would contain information on the measures taken. A balance must be found between what existed and the Convention. Progress should be achieved as quickly as possible without causing a backlash to the advancement of women."

5. Document CEDAW/C/1992/L.1/Add.10, as amended, was adopted.

CEDAW/C/1992/L.1/Add.7

6. Ms. ILIC said that the section of the Committee's report relating to Honduras (CEDAW/C/1992/L.1/Add.3 and Add.7) did not adequately reflect the questions raised by members of the Committee. It was important for the Committee to adopt a uniform approach within its own report with regard to each State party.

7. The CHAIRPERSON said that since the report of Honduras had been an initial report submitted in conjunction with periodic reports, the pre-session working group had not drafted written questions.

8. Ms. GONZALEZ MARTINEZ said that, in the case of future reports combining initial with periodic reports, where no questions were drafted by the pre-session working group, the Committee should ensure that the questions raised by its members were fully reflected in its report. The failure to do so in the case of Honduras might give the impression that the Committee had accorded different treatment to different States parties, in that the section of the Committee's report relating to Honduras would appear less detailed, whereas in fact the Committee had accorded equal attention to all the reports considered by it.

9. The CHAIRPERSON said that document CEDAW/C/1992/L.1/Add.3 did reflect the questions raised by Committee members in connection with the reports of Honduras. The difference, in terms of the Committee's own report, lay essentially in the way in which the consideration of initial and subsequent reports was reflected.

10. Ms. GONZALEZ MARTINEZ said that the report of Honduras had been dealt with as though it was only an initial report. A different approach should be taken in similar instances in future.

11. Ms. LAIOU-ANTONIOU (Rapporteur) agreed that the format of the Committee's reports should be as uniform as possible. However, the format of initial reports could not be identical to that of second and third periodic reports, which answered questions drafted by the pre-session working group. Perhaps, in future, the Committee's questions should be reproduced in an annex to the main report. That might ensure greater uniformity.

12. Document CEDAW/C/1992/L.1/Add.7 was adopted.

CEDAW/C/1992/L.1/Add.8

13. Ms. GONZALEZ MARTINEZ, referring to paragraphs 17-19, observed that it was not standard practice for additional questions to be asked after the country representative had already replied to the Committee's first set of questions and the Chairperson had summarized the country's report. Furthermore, those paragraphs implied that the additional questions had been raised by the entire Committee, rather than just the one or two members who had actually spoken. It was neither balanced nor accurate to devote three paragraphs to questions raised by one or two experts and then to condense the Czechoslovak representative's very thorough replies to those questions into a few lines in paragraph 20.

14. The CHAIRPERSON suggested that, where appropriate, it could be specified that questions had been asked by one or two Committee members only.

15. Ms. GONZALEZ MARTINEZ added that the Spanish version of the first sentence of paragraph 17 and the Spanish construction in the sentence beginning "The representative was advised ..." implied that the entire Committee had had questions and comments at the end of the meeting.

16. The CHAIRPERSON pointed out that the sentences in the early part of the paragraph did specify "one member" and "one expert". Towards the end of the paragraph, the words "by one expert" could be added after "The representative was advised ...".

17. Ms. CORTI asked whether "advised" was the appropriate word.

18. The CHAIRPERSON said that the wording "it was suggested by one member to the representative ..." might be preferable.

19. Ms. LAIOU-ANTONIOU (Rapporteur) said that the English version reflected the Committee's impression of what had taken place. The discussion had been lively and perhaps had even been enhanced by the questions that had followed the Chairperson's summary. There was no need to ignore that in the report. In the end, what mattered was dialogue between country representatives and Committee members, even if that meant departing from the Committee's usual procedure.

20. Ms. SCHOPP-SCHILLING recalled that, after the Chairperson had congratulated the representative of Czechoslovakia, the floor had been opened for questions. She herself had offered some comments and four or five other Committee members had spoken.

21. Ms. ALFONSIN DE FASAN said that she had presided over the meeting in question. At the conclusion of her summary, a number of Committee members had spoken. If that was not the proper procedure, she should have been briefed accordingly. In any case, she too believed that the Committee's work should not be hampered by rigid procedures.

22. The CHAIRPERSON said that, in paragraph 17, the sentence beginning "The representative was advised ..." and the two sentences which followed would be redrafted in the light of what Ms. González Martínez had said.

23. Document CEDAW/C/1992/L.1/Add.8, as orally revised, was adopted.

CEDAW/C/1992/L.1/Add.9

24. Document CEDAW/C/1992/L.1/Add.9 was adopted.

CEDAW/C/1992/L.1/Add.11

25. Ms. BUSTELO GARCIA del REAL said that she had some suggestions to offer concerning the form and content of the report, which was essentially a very good synthesis of the Spanish delegation's presentation.

26. The CHAIRPERSON reminded Ms. Bustelo García del Real that only her Government could suggest changes in substance. She, as an independent expert, could not. Moreover, it was Committee practice that members did not comment on their own country's report, nor on the section of the Committee's report relating thereto.

27. Ms. BUSTELO GARCIA del REAL said that she would transmit her suggestions to the Permanent Mission of Spain, which could then suggest changes if it liked. She quite understood the proper procedure and would comply with it.

28. Ms. LAIOU-ANTONIOU proposed that the words "education and employment" in paragraph 24 should be changed to "education, employment and promotion".

29. Ms. ILIC said that the Committee had appreciated the comprehensiveness and quality of Spain's report, which was indeed almost a model of its kind. The Committee's satisfaction with Spain's report should be made explicit in its own report.

30. The CHAIRPERSON said that for the first time the Committee's report contained an analytical section intended to make Governments aware of the Committee's concerns over the remaining obstacles to implementation of the Convention. It contained positive and negative appraisals to focus Governments' attention on their next report. As a matter of principle, such analysis should not include any appraisal of the performance of members of the Committee. If the Committee agreed, any such references would be deleted from the report.

31. It was so decided.

32. Document CEDAW/C/1992/L.1/Add.11, as orally revised, was adopted.

CEDAW/C/1992/L.1/Add.15

33. Ms. EVATT (Coordinator of Working Group II) said that the word "all" should be inserted after the word "of" in the first line of paragraph 22 of section I.

34. Ms. WALLA-TCHANGAI, referring to paragraph 31 of section I, proposed that the phrase "in situations of financial difficulties" should be deleted.

35. Ms. SCHOPP-SCHILLING proposed that the phrase "and on reservations to the Convention on the Elimination of All Forms of Discrimination against Women" should be inserted at the end of the last sentence in paragraph 1 of section V.

36. Ms. EVATT (Coordinator of Working Group II), referring to page 8 of the document under consideration, said that the section entitled "Decision of CEDAW on reservations to the Convention" was not part of any general recommendation by the Committee and should be placed elsewhere in the report.

37. Document CEDAW/C/1992/L.1/Add.15, as orally amended, was adopted.

The meeting rose at 6.10 p.m.